



I hereby certify that this correspondence is being deposited with the United States Post Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on March 12, 2003 by John A. Caccaro

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor Corrado P. Dragone  
Case 68  
Serial No. 09/755,243 Group Art Unit  
Filing Date Jan. 5, 2001  
Examiner Not Yet Assigned  
Title BROADBAND OPTICAL SWITCHING ARRANGEMENTS  
WITH VERY LOW CROSSTALK

THE COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

SIR:

PETITION UNDER 37 CFR 1.137(B)  
TO REVIVE AN ABANDONED APPLICATION

Applicant hereby petitions, through his attorney of record, that the above-captioned application be restored to the pending files and that the abandonment be held to have been unintentional.

The facts and circumstances surrounding the inadvertent abandonment of this application is as follows:

1. This application was filed with informal drawings.
2. A Filing Receipt dated 03/30/01 was received that included a Notice to File Corrected Application Papers (Attachment A). This Notice requested Corrected Papers (substitute drawings) to comply with 37 CFR 1.84.
3. The failure to respond to the Notice to File Corrected Application Papers was due to a misinterpretation and misfiling of the Filing Receipt. This misinterpretation and misfiling of the Filing Receipt was caused by unintentional oversight and inadvertent error and resulted in Applicant's attorney failing to respond to the Notice to File Corrected Application Papers.
4. On or about Nov. 8, 2002, Applicant's attorney received a telephone call from Linda Hallman of the Initial Patent Examination Division stating that the Patent Office had not received a response to Notice to File Corrected Application Papers and that an abandonment of the application was imminent.
5. Telephonic discussions were held on Nov. 19, 2002 with Linda Hallman and her supervisor Doshie Day to decide how Applicant's attorney can revive the application.
6. Supervisor Doshi Day suggested that Applicant's attorney should not file this Petition until the formal Notice of Abandonment (Attachment B) is received.

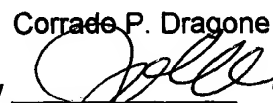
7. The Notice of Abandonment, dated Feb. 27, 2003, was received on March 4, 2003.
8. For completeness of this Petition, the Formal drawings (the lack of which resulted in the Notice of Abandonment) are submitted herewith.
9. An Affidavit by the attorney of record is further submitted in support of the unintentional abandonment of the subject application.

It is respectfully requested that the instant Petition be granted and that the subject application bearing Serial No. 09/755,243 be restored to the pending files and that the submitted Formal drawings be accepted.

Respectfully,

Corrado P. Dragone

By



John A. Caccuro, Attorney  
Reg. No. 28592  
Attorney for Applicant

Date: March 12, 2003